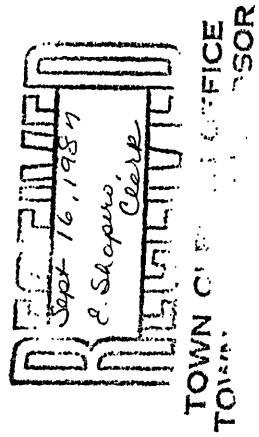


ZB# 87-39

**Elizabeth & John
Komonchak**

44-1-63



Prelim:
June 23, 1987.

Aps. furnished
on 6/2/87.

Public Hearing:
Aug. 10, 1987.

Notice to Sentinel
8/1/87.

Area Variance
Granted 8/10/87.

87-39 - Romanchak, John - ~~rear~~^{side} yard -

General Receipt

9182

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

Aug. 11 19 87

Received of

John Komonchak

\$ 25⁰⁰/₁₀₀

Twenty Five and ⁰⁰/₁₀₀

DOLLARS

For

ZBA application # 87-39

DISTRIBUTION:

FUND	CODE	AMOUNT
Cheque # 25.00		
# 2193		

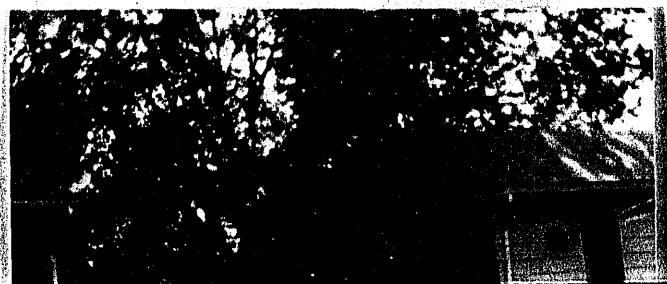
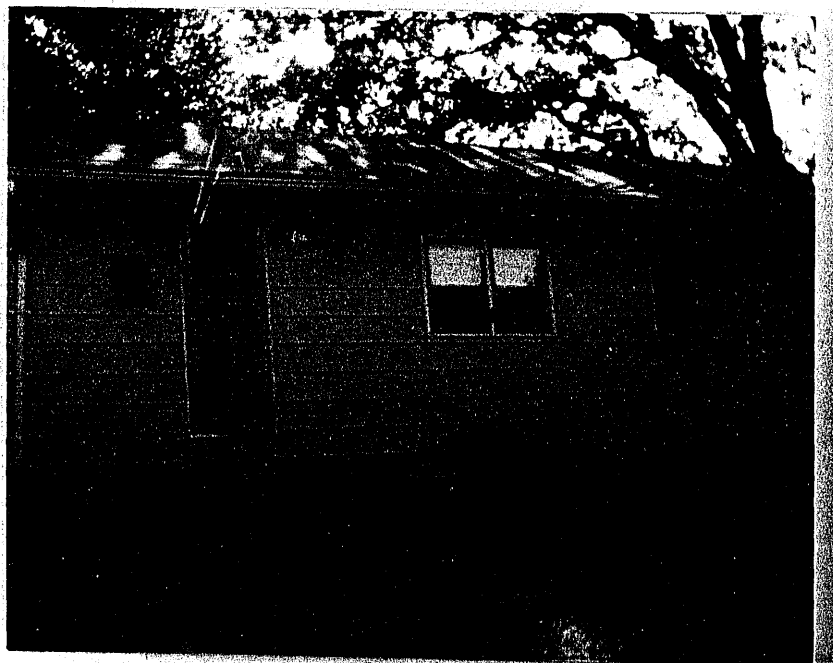
By

Pauline J. Townsend
EC

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609



NEW WINDSOR ZONING BOARD OF APPEALS

-----X

In the Matter of the Application of

ELIZABETH AND JOHN KOMONCHAK

#87-39.

DECISION GRANTING
AREA VARIANCE

-----X

WHEREAS, JOHN and ELIZABETH KOMONCHAK, 14 St. Anne Drive, New Windsor, N. Y. 12550, have made application before the Zoning Board of Appeals for 12 ft. sideyard variance to construct screened-in porch on residence located above in an R-4 zone; and

12 ft.

WHEREAS, a public hearing was held on the 10th day of August, 1987 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicants appeared in behalf of themselves; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicants are seeking to construct a screened-in porch with insufficient sideyard at premises located at 14 St. Anne Drive, New Windsor, N. Y.

3. The evidence presented by the applicant substantiated the fact that a 10 ft. sideyard variance would be required in order for applicants to meet the bulk requirement for sideyard in an R-4 zone.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty if the variance requested is not granted because applicant cannot purchase additional land within which to construct screened-in porch.

2. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

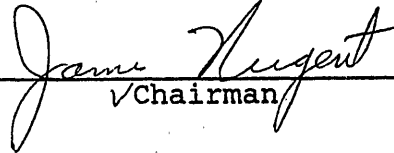
NOW, THEREFORE, BE IT ^{12 ft.}

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a ~~10~~ ft. sideyard variance to applicants in accordance with plans submitted to the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: September 14, 1987.


✓Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

August 11, 1987

Mr. and Mrs. John Komonchak
14 St. Anne Drive
New Windsor, N. Y. 12550

RE: APPLICATION FOR AREA VARIANCE
#87-39

Dear Mr. and Mrs. Komonchak:

This is to confirm that the Zoning Board of Appeals made a decision to GRANT your above request for a variance at the August 10, 1987 meeting.

Formal decision will be drafted some time in the future and acted upon by the Board. You will be receiving a copy by return mail.

Very truly yours,

PATRICIA A. BARNHART
Secretary

/pab

cc: Town Planning Board
Michael Babcock, B. I.

① Prelim.
June 22

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

87-39

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 5/12 1987

To: John & Elizabeth Kamarchak

14 St. Ann's Drive 562-2477 - Office 446-4886
New Windsor, N.Y. 12530

PLEASE TAKE NOTICE that your application dated, 19.....
for permit to Build Screened in Porch R-4 Zone
at the premises located at 14 St. Ann's Drive

is returned herewith and disapproved on the following grounds:

Need 15 Feet Side Yard Have 5 Ft Need
10 Ft Variance

John Fennegan
Building Inspector

Proposed or Variance

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

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10 Ft VARIANCE

John J. Jannigan
Building Inspector

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. 15	13	12
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

Amended
at P.H.
12

work 446-4886

Name of Owner of Premises John T. and Elizabeth Komonchak
Address 14 St. Anne Dr., New Windsor Phone 562-2477
Name of Architect none
Address Phone
Name of Contractor ~~not sure yet~~ Lou Cimarelli
Address Windsor Highway, New Windsor Phone 562-4769
State whether applicant is owner, lessee, agent, architect, engineer or builder: owner
If applicant is a corporation, signature of duly authorized officer:

.....
(Name and title of corporate officer)

1. On what street is property located? On the W side of St. Anne Dr
(N. S. E. or W.)
and 90 feet from the intersection of St. Anne and Judd Circle
2. Zone or use district in which premises are situated Willow Acres
3. Tax Map description of property: Section 44 Block 1 Lot 63
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
a. Existing use and occupancy private home b. Intended use and occupancy personal
5. Nature of work (check which applicable): New Building Addition Alteration Repair Removal
Demolition Other ☒ screened in porch
6. Size of lot: Front 95' Rear 57.52' Depth 140' Front Yard 95x38' Rear Yard 78' Side Yard
Is this a corner lot? No
7. Dimensions of entire new construction: Front Rear 12 Depth 12 Height 7 Number of stories 1
8. If dwelling, number of dwelling units Number of dwelling units on each floor
Number of bedrooms Baths Toilets
Heating Plant: Gas Oil Electric /Hot Air Hot Water
If Garage, number of cars
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
.....
10. Estimated cost \$2800 Fee
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION — YOU MUST CALL FOR THESE

Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections, it has not been approved, and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS 565 0007

Address Windsor Highway, New Windsor Phone 562-4769

State whether applicant is owner, lessee, agent, architect, engineer or builder: owner

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the W side of St. Anne Dr
(N. S. E. or W.)
and 90 feet from the intersection of St. Anne and Judd Circle
2. Zone or use district in which premises are situated Willow Acres
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a. Existing use and occupancy private home b. Intended use and occupancy personal
5. Nature of work (check which applicable): New Building.....Addition.....Alteration.....Repair.....Removal.....
Demolition.....Other ☒ screened in porch
6. Size of lot: Front 95' Rear 57.52' Depth 140' Front Yard 95x38 Rear Yard 78' Side Yard.....
Is this a corner lot? No
7. Dimensions of entire new construction: Front..... Rear 12 Depth 12 Height 7 Number of stories 1
8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....
Number of bedrooms..... Baths..... Toilets.....
Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....
If Garage, number of cars.....
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....
10. Estimated cost \$2800 Fee.....
(to be paid on filing this application)

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CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS — 565-8807

- 1—When excavating is complete and footing forms are in place (before pouring).
- 2—Foundation Inspection - check here for waterproofing and footing drains.
- 3—Inspect gravel base under concrete floors, and underslab Plumbing.
- 4—When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- 5—Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.
- 6—Driveway inspection must meet approval of town Highway Inspector.
- 7—\$20.00 charge for any site that calls for the same inspection twice.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer —

Planning Board.....
Highway.....
Sewer
Water
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date... April 14 1987...

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

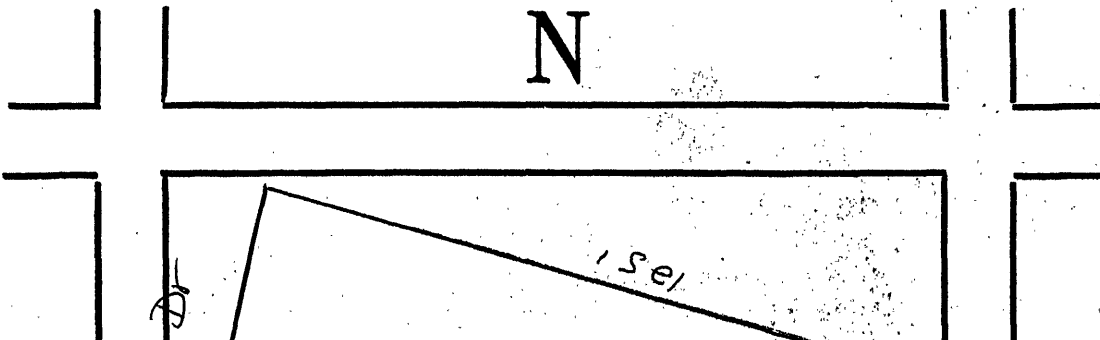
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

John F. Romondt St. Anne Dr. New Windsor, N.Y.
(Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

Pursuant to New York State Building Code and Town Ordinances

Date... April 14 ... 1987 ...

INSTRUCTIONS

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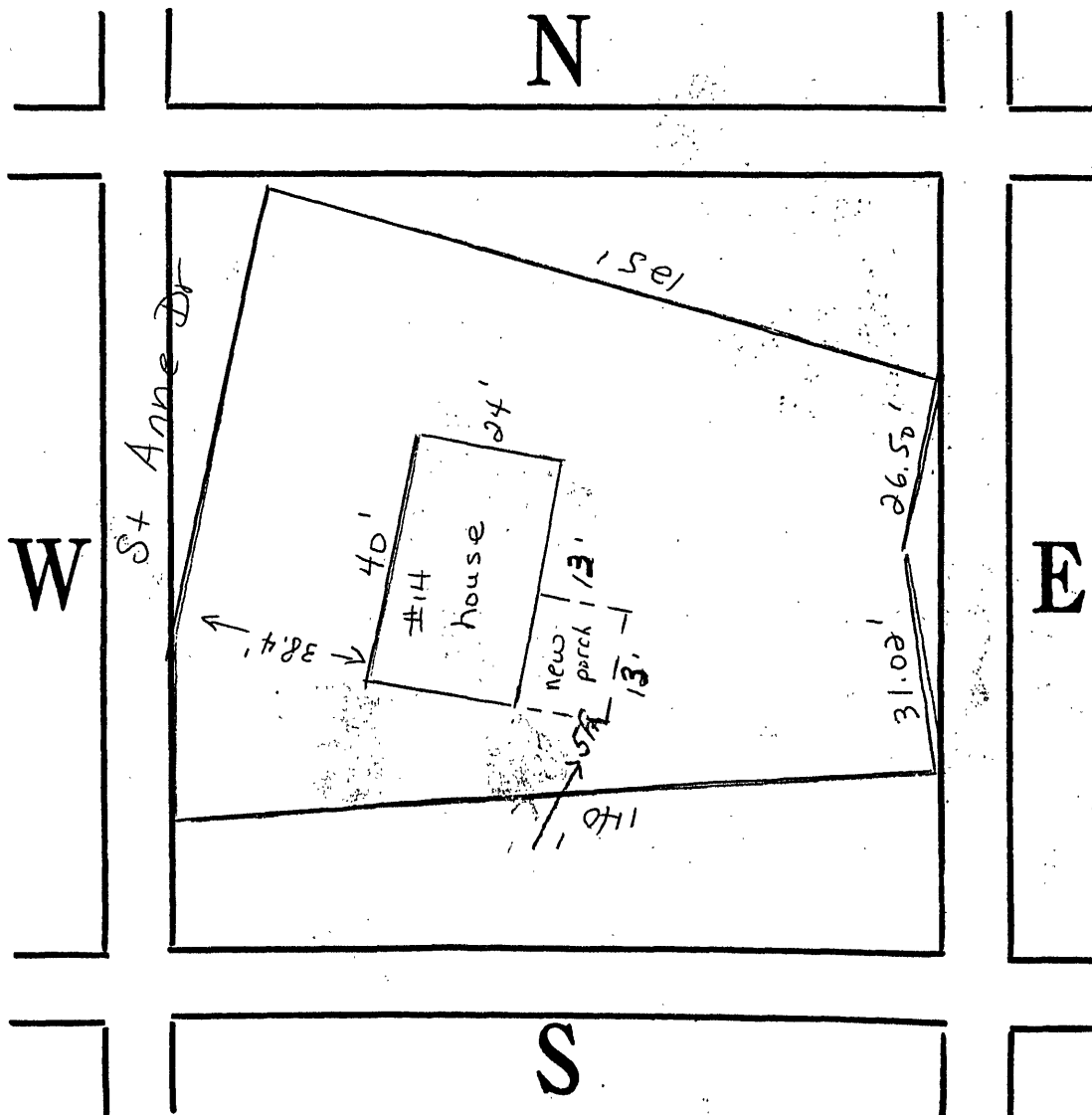
(Signature of Applicant)

(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.





TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

87-39

Date: 6/23/87

I. ✓ Applicant Information:

- (a) John & Elizabeth Komenchak 14 St. Anne Dr, New Windsor, N.Y. 12550
(Name, address and phone of Applicant) (Owner) 562-2477
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Special Permit

III. ✓ Property Information:

- (a) Willow Acres 14 St. Anne Drive 44163 95x57.52x140
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? _____
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? Aug. 1973
- (e) Has property been subdivided previously? NO When? _____
- (f) Has property been subject of variance or special permit previously? NO When? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NONE

IV. Use Variance:

- (a) ~~Use Variance~~ requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____
- _____

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 44-344, Table of _____ Regs., Col. _____.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. <u>15</u>	<u>3</u>	<u>12</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

Proposed structure will serve partially as dining area in warm weather. Any location other than that proposed means back etc. would have to be carried throughout house to back area. We have considered several alternative locations, but all are impractical for purposes planned.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq. ft.	_____ sq. ft.	_____ sq. ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the use and structures proposed for the special permit.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

NO trees or other landscaping will be altered in any way. Proposed structure will enhance existing adjacent lot by providing a cool, comfortable atmosphere for warm weather dining & lounge.

IX. Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☐ Check in the amount of \$ 25,000 payable to TOWN OF NEW WINDSOR.
- ☒ Photos of existing premises which show all present signs and landscaping

X. AFFIDAVIT

Date _____

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Elizabeth Komonchuk
✓ *Elizabeth Komonchuk*
(Applicant)

Sworn to before me this

____ day of _____, 19____.

XI. ZBA Action:

- (a) Public Hearing date _____.
- (b) Variance is _____.
- Special Permit is _____.
- (c) Conditions and safeguards: _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

June 30, 1987

Mr. & Mrs. John Komonchak
14 St. Anne Dr.
New Windsor, NY 12550

Re: 44-1-63 Variance List

Dear Mr. & Mrs. Komonchak:

According to our records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$75.00, minus your deposit of \$25.00. Please remit same to the Town Clerk, Town of New Windsor, N.Y.

Very truly yours,

Christian E. Jahrling/cp

CHRISTIAN E. JAHRLING, IAO
SOLE ASSESSOR

CEJ/cp
Attachments

Garcia, Annicet-Claudine & Juliao
24 Hudson Dr.
New Windsor, NY 12550

Oakwood Terrace Housing Corp.
207 Lake Dr.
Newburgh, NY 12550

Kotwas, Alexander E. & Dolores E.
26 Hudson Dr.
NewWindsor, NY 12550

Schorro, Edmund J & Frances
28 Hudson Dr.
New Windsor, NY 12550

Lodato, Anthony S. & Jilda
30 Hudson Dr.
New Windsor, NY 12550

Town of New Windsor
555 Union Ave,
New Windsor, NY 12550

Warmers Construction Corp.
RD 2 Union Ave.
Newburgh, NY 12550

Riecker, Donald s. & Beth S
2 St. Anne Dr.
New Windsor, NY 12550

Ronning, Steve & Laurie
4 St. Anne Dr.
New Windsor, NY 12550

Bilzor, Paul B. & MaryJo
6 St. Anne Dr.
New Windsor, NY 12550

Warmers, Fred E. & Tessie
Ridge Road
Montgomery, NY 12549

Olszewski, Anthony F. & Mary F.
8 St. Anne Dr.
New Windsor, NY 12550

Grogan, Michael D. & Benevenuto
10 St. Anne Dr.
New Windsor, NY 12550

Perez, Andred & Amelia
2 Judd Circle
New Windsor, NY 12550

Pita, Jose R. & Agostina
4 Judd Circle
New Windsor, NY 12550

Schisano, Robert
6 Judd Circle
New Windsor, NY 12550

Bivona, Josephine
8 Judd Circle
New Windsor, NY 12550

Cocchia, Nicholas A.
10 Judd Circle
New Windsor, NY 12550

Trotta, Nicholas Michael
213 Monroe Ave.
Edison, NJ 08820

May, Thomas G. & Laura
9 Judd Circle
New Windsor, NY 12550

~~Town of New Windsor~~
~~555 Union Ave~~
New Windsor, NY 12550

Perrego, Virginia M
7 Judd Circle
New Windsor, NY 12550

Cunningham, William J. & Nellie M.
5 Judd Circle
New Windsor, NY 12550

Homoth, Edward C. & Anne Marie
3 Judd Circle
New Windsor, NY 12550

Heft, Lincoln Roy A Jr. & Stephanie
1 Judd Circle
New Windsor, NY 12550

Cox, Theresa
12 St. Anne Dr.
New Windsor, NY 12550

Hovey, Richard A. & Patricia M.
16 St. Anne Dr.
New Windsor, NY 12550

Terwilliger, Richard L.
18 St. Anne Dr.
New Windsor, NY 12550

Engenito, Michael J. & Dorothy A.
20 St. Anne Dr.
New Windsor, NY 12550

Wilson, Charles
22 St. Anne Dr.
New Windsor, NY 12550

Wilkins, Richard E. & Ellen Jane
18 Hudson Dr.
New Windsor, NY 12550

Stanford, Elton V. & Estelle
20 Hudson Dr.
New Windsor, NY 12550

Urban, Kenneth J. & Virginia L.
22 Hudson Dr,
New Windsor, NY 12550

Skakel, Floyd H Jr. & Marie J.
27 St. Anne Dr.
New Windsor, NY 12550

Guinn, Christine M.
25 St. Anne Dr.
New Windsor, NY 12550

Rogers, William J. & Lillian K.
23 St. Anne Dr.
New Windsor, NY 12550

Ciaccio, William G. & Anne M.
21 St. Anne Dr.
New Windsor, NY 12550

Feldman, William & Sydel
19 St. Anne Dr.
New Windsor, NY 12550

Ceriello, Frank J. & Geraldine P.
17 St. Anne Dr.
New Windsor, NY 12550

Wotton, Gerald & Joyce
15 St. Anne Dr.
New Windsor, NY 12550

Stevens, William F. & Sylvia
13 St. Anne Dr.
New Windsor, NY 12550

Williamson, David J. & Barbara R.
11 St. Anne Dr.
New Windsor, NY 12550

Callahan, Susan
9 St. Anne Dr.
New Windsor, NY 12550

Littier, Stephen T. Jr.
7 St. Anne Dr.
New Windsor, NY 12550

Coughlan, John & Yvonne
8 Hearthstone Way
New Windsor, NY 12550

Schwartz, Frank & Anita
10 Hearthstone Way
New Windsor, NY 12550

Sanders, Richard & Margaret
12 Hearthstone Way
New Windsor, NY 12550

Vance, Robert G. & Lynn M.
14 Hearthstone Way
New Windsor, NY 12550

Cruse, Willard W. & Juliana R.
16 Hearthstone Way
New Windsor, NY 12550

Pointer, Samuel F. & Pearl
Dunbar, Bill
Miles, Scott
18 Hearthstone Way
New Windsor, NY 12550

LeRoy, Dane W. &
Coleman, Judy
2 Spring Rock Rd
New Windsor, NY 12550

Ferrino, Rose
4 Spring Rock Rd.
New Windsor, NY 12550

Sotland, Michael & Adele F.
17 Hearthstone Way
New Windsor, NY 12550

Marsden, Theodore F. & Peggy Jo
15 Hearthstone Way
New Windsor, NY 12550

Lucera, Dominick & Lorraine
13 Hearthstone Way
New Windsor, NY 12550

Levenroth, Marion
11 Hearthstone Way
New Windsor, NY 12550

Krizek, Kenneth E. & Helene
9 Hearthstone Way
New Windsor, NY 12550

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 39.

Request of John & Elizabeth Komonchak.

for a VARIANCE of

the regulations of the Zoning Local Law to

permit Construction of screened-in porch.
with insufficient side yard;

being a VARIANCE of

Section 48-12 - Table of Bulk Regs. - Col. F.

for property situated as follows:

14 St. Anne Drive, New Windsor, N.Y.

SAID HEARING will take place on the 10th day of
August, 1987, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

Jack Babcock.
Chairman